

On motion of Mr. Scott, rule suspended, read third time and passed by the following vote :

YEAS—Messrs. Armstrong, Burks, Doane, Durst, Guinn, Lott, Martin, McDade, Newman, Scarborough, Scott, Sublett, Taylor, Weatherford and Wren—15.

NAYS—Messrs. Bryan, Keenan, Kyle, McAnelly, Paschal, Potter, Superviele and Whitaker—8.

Mr. Sublett called up a bill to incorporate the Austin City Life and General Insurance company, with report of the committee on the Judiciary offering amendments thereto; read, amendments adopted, and bill ordered to be engrossed.

On motion of Mr. Potter, rule suspended, bill read third time and passed by the following vote :

YEAS—Messrs. Armstrong, Bryan, Doane, Durst, Guinn, Keenan, Kyle, Lott, Martin, McDade, Newman, Paschal, Potter, Scarborough, Scott, Sublett, Superviele, Taylor, Weatherford, Whitaker and Wren—21.

NAYS—Mr. McAnelly—1.

Mr. Superviele called up a bill to procure from Mexico the original archives, land titles, orders, decrees, &c., relating to lands in Texas.

On motion of Mr. Paschal, made the order of the day for to-morrow at 11 o'clock.

On motion of Mr. Paschal, the Senate adjourned until 9 o'clock to-morrow morning.

FRIDAY, JANUARY 27, 1854.

Senate met pursuant to adjournment—prayer by the Rev. Mr. Dillon—roll called—quorum present.

The Journal of yesterday read and adopted.

A message was received from the Governor, transmitting the following communications :

EXECUTIVE OFFICE, STATE OF TEXAS, }
Austin, January 26, 1854. }

*Gentlemen of the Senate and
of the House of Representatives :*

I beg leave to call your attention to the fact, that the law of the 19th December, 1849, providing the mode by which the United States may purchase and acquire jurisdiction over such lands as

they may wish to occupy as sites for light houses, forts, garrisons, &c., &c., fails to make any provision by which the United States may purchase and acquire jurisdiction over such lands, in cases where they are owned by the State of Texas.

My attention has been called to this matter by a communication from the Secretary of the Light House Board of the United States, which is herewith transmitted for your information.

If, when the sites are selected for the light houses that have been authorised to be erected at Aransas Pass and at the mouth of the Sabine river, it should be found that said sites are on the public land of the State, there is no mode provided by our laws by which the United States can acquire the property and jurisdiction of the same; consequently, the appropriation which has been made for these light houses will revert to the United States Treasury. I trust, therefore, that you will perceive the necessity for remedying this defect in said law at the present session.

E. M. PEASE.

TREASURY DEPARTMENT, OFFICE L. H. BOARD, }
January 7, 1854. }

To his Excellency, the Governor of Texas:

SIR: I have the honor respectfully to request that, if in your judgment the act approved December 19th, 1849, of the Legislature of Texas, ceding to the United States jurisdiction of certain lands for public purposes, does not authorise the Executive of Texas to grant to the United States, or to sell to them, in cases wherein lands required for sites of light houses authorised by Congress belong to the State, an application may be made to the Legislature at its present session for the passage of such an act as will enable the United States to obtain a valid title to the site of the light house authorised to be placed at Aransas Pass, and to the site of the light house authorised to be placed at the mouth of the Sabine River Texas, should it be found when the sites are selected that the lands thus selected belong to the State of Texas.

The general law referred to may contain the necessary authority, but to prevent the delay which would necessarily ensue, and probably be the means of losing the appropriations by their reversion to the Treasury, it is respectfully suggested that in the event of any doubt as to the construction of the law, an amendatory may be passed to insure the speedy commencement of these important aids to navigation on the coast of Texas.

Very respectfully, your ob't serv't,

THORNTON A. JENKINS.

Secretary Light House Board.

Mr. Potter introduced a bill supplementary to an act for ceding jurisdiction of certain lands in this State for public purposes, approved 19th December, 1849; read first time, and on motion of Mr. Potter, rule suspended, read second time and ordered to be engrossed.

On motion of Mr. Potter, rule further suspended, bill read third time and passed.

On motion of Mr. Jowers, Mr. Taylor was excused from his seat from and after the third day of February next.

Mr. Scott presented the petition of Baley Anderson, of Harrison county, asking for the passage of an act authorising the Commissioner of the General Land Office to issue a duplicate certificate for one-third of a league of land, in the name of petitioner, as administrator of Joseph Neely, deceased; which, on motion of Mr. Scott, was laid on the table.

Mr. Martin introduced a bill concerning surveys of land in Mercer's and Peter's Colony; read first time, and on motion of Mr. Martin, rule suspended, read second time and ordered to be engrossed.

On motion of Mr. Martin, rule further suspended, bill read third time and passed.

Mr. Guinn, from the committee on Engrossed Bills, reported the following bills correctly engrossed:

A bill supplemental to an act to incorporate the Brownsville and Rio Grande Railroad company, approved February 7th, 1853;

A bill to protect the public buildings and grounds at the city of Austin; and

A bill to amend an act to establish a State Penitentiary, approved March 13th, 1848.

Mr. Pedigo introduced a bill to incorporate the Mexican Gulf and Austin Railroad company; read first time, and on motion of Mr. Pedigo, rule suspended, read second time and referred to the committee on Internal Improvements.

Mr. Potter introduced a bill to incorporate the Texas Gass company; read first time.

A message was received from the House, informing the Senate that the House had passed the following bills originating in the Senate:

A bill to incorporate the San Jacinto Bridge company; and

A substitute for a bill authorising and requiring the county courts to regulate roads, appoint overseers, &c.

Also, the following bills originating in the House:

A bill to fix the salaries of certain State officers;

A bill to amend an act to provide for the assessment and collection of Taxes, approved February 11th, 1850;

A bill to locate the seat of justice of Robertson county;

A bill authorising and requiring the Auditor and Comptroller to audit the claim of Jackson McFarland and Jas. McFarland;

Joint resolution for the relief of the contractor on route No. 6287;

And a bill to incorporate the Sabine and Rio Grande Railroad company.

ORDERS OF THE DAY.

On motion of Mr. Holland, rule suspended, and the Governor's Veto Message, accompanying a bill relinquishing to the counties the State tax for the years 1854 and 1855, taken up.

Mr. Bryan moved to lay the veto message on the table; lost.

The bill then passed by the following vote over the veto:

YEAS—Messrs. Burks, Doane, Durst, Gage, Guinn, Holland, Jowers, Keenan, Kyle, Lott, Martin, McAnelly, McDade, Newman, Pedigo, Potter, Scarborough, Scott, Taylor, Weatherford and Whitaker—21.

NAYS—Messrs. Allen, Armstrong, Bryan, Hart, Paschal and Superviele—6.

A message was received from the House, informing the Senate that the House had passed the following bills originating in that body:

A bill supplementary to an act to create the county of Trinity, approved February 11th, 1850;

A bill to incorporate Thomas' Turnpike company; and

A bill making an appropriation for the rescue of captives now in the hands, or who may hereafter fall into the hands of the Indians.

Also, that the House had concurred in the Senate's amendment to the resolution fixing the time of adjournment.

A bill to authorise the Auditor and Comptroller to audit the claims comprised in document "C," as reported by the Auditorial Board on the 12th November, 1851.

Mr. Doane offered a substitute for the bill. Rejected.

The question being then upon the engrossment of the bill, the vote stood as follows:

YEAS—Messrs. Bryan, Doane, Durst, Keenan, McAnelly, McDade, Paschal, Pedigo, Potter, Scarborough and Superviele—11.

NAYS.—Messrs. Allen, Armstrong, Burks, Gage, Guinn,

Hart, Holland, Jowers, Kyle, Lott, Martin, Newman, Scott, Taylor, Weatherford and Whitaker—16.

On motion of Mr. Durst, rule suspended, and a bill for the relief of Andrew J. Walker, with report of the committee on Private Land Claims offering an amendment thereto, taken up, amendment adopted, and bill ordered to be engrossed.

On motion of Mr. Durst, rule further suspended, bill read third time and passed.

A bill to amend an act to incorporate the Vicksburg and El Paso Railroad company, passed February 16th, 1852; read.

Mr. Bryan offered the following amendment :

“Provided, That this act shall confer no right to the alternate reserved sections on the Mississippi and Pacific Railroad, leaving in this respect the original charter as it was before the passage of this act.” Adopted.

Mr. Kyle offered the following amendment :

Strike out in the caption, “Vicksburg and El Paso” and insert “Texas Western.” Rejected.

Bill then engrossed by the following vote :

YEAS.—Messrs. Bryan, Doane, Durst, Holland, Jowers, Keenan, Lott, McDade, Paschal, Pedigo, Scott and Superviele—12.

NAYS.—Messrs. Armstrong, Burks, Gage, Kyle, Martin, McAnelly, Newman, Scarborough, Whitaker and Wren—10.

On motion of Mr. Jowers, the Senate adjourned until half-past 3 o'clock, P. M.

HALF-PAST THREE O'CLOCK, P. M.

Senate met—roll called—quorum present.

A bill to procure from Mexico the original archives, land titles, orders, decrees, and other documents and laws relating to lands in Texas; read second time.

Mr. Bryan offered a substitute for the caption and 1st section of the bill.

On motion of Mr. Bryan, the bill and substitute were referred to a select committee, with instructions to report on to-morrow.

Messrs. Paschal, Bryan, Potter, Armstrong, Pedigo, Guinn, Scott and Superviele were appointed said committee.

Mr. Gage, chairman of the committee on State Affairs, made the following report :

The committee on State Affairs, to whom was referred the communication of his Excellency, the Governor, upon the subject of the appointment of commissioners to act in conjunction

with like commissioners on the part of the United States, to run and mark the line between the State of Texas and that of the territories of the United States, have had the same under consideration, and have instructed me to report the accompanying bill and recommend its passage.

The committee have also had under consideration an act to appropriate a certain sum of money therein named, to pay the commissioners who may be appointed by the Governor of this State to act in conjunction with such commissioners as may be appointed by the United States to run the boundary line between the State of Texas and the territories of the United States, under the provisions of a joint resolution, approved February 16th, 1852. The committee is of opinion that the passage of the bill is not now necessary, as the object sought to be obtained by it is fully provided for in the accompanying bill :

A bill making provisions for running and marking the boundary line between the State of Texas and the territories of the United States of America ; read first time, and on motion of Mr. Gage, rule suspended, bill read second time.

Mr. Weatherford moved to amend by striking out that portion of the bill that provides for the appointment of a clerk ; lost.

Mr. Gage moved to fill the first blank in the bill with \$2,000.

Mr. Doane moved to fill it with \$2,500 ; lost.

The question recurring upon Mr. Gage's motion, the vote stood as follows :

YEAS—Messrs. Allen, Armstrong, Bryan, Doane, Durst, Gage, Hill, Holland, Kyle, Lott, McDade, Paschal, Potter, Scarborough, Scott and Superviele—16.

NAYS—Messrs. Burks, Guinn, Martin, Millican, Newman, Taylor and Weatherford—7.

Mr. Holland moved to make the bill the order of the day for to-morrow ; lost.

On motion of Mr. Bryan, the vote filling the first blank with \$2,000 was reconsidered ; and first and second blanks, on motion of Mr. Bryan, filled with \$1500.

On motion of Mr. Guinn, the second blank was filled with \$1000.

On motion of Mr. Bryan, the fourth blank was filled with 6.

Mr. Weatherford moved to fill the fifth blank with \$150.

Mr. Gage moved to fill it with \$200. Lost, and Mr. Weatherford's motion carried.

On motion of Mr. Doane, the sixth blank was filled with \$10,000.

The bill was then ordered to be engrossed by the following vote :

YEAS—Messrs. Armstrong, Bryan, Doane, Gage, Hill, Holland, Keenan, Lott, McDade, Millican, Newman, Paschal, Pedigo, Potter, Scarborough, Superviele and Taylor—17.

NAYS—Messrs. Allen, Burks, Guinn, Jowers, Kyle, Martin, Scott and Weatherford—8.

On motion of Mr. Taylor, rule further suspended, bill read third time and passed.

Mr. Guinn, from the committee on Engrossed Bills, reported as correctly engrossed a bill confirming titles to the colonists of Peter's Colony.

Mr. McDade moved a reconsideration of the vote passing a bill to quiet land titles.

Mr. Pedigo moved to make said motion the special order for to-morrow at 11 o'clock ; lost.

The Senate refused to reconsider by the following vote :

YEAS—Messrs. Allen, Bryan, Gage, Hill, Kyle, McDade, Millican, Paschal, Potter and Superviele—10

NAYS—Messrs. Armstrong, Durst, Guinn, Holland, Jowers, Keenan, Lott, Martin, Newman, Scarborough, Scott, Taylor and Weatherford—13.

Mr. Guinn introduced a joint resolution to provide for the *per diem* pay of the officers of the two houses of the Legislature ; read first time, and on motion of Mr Taylor, rule suspended read second time and ordered to be engrossed.

On motion of Mr. Taylor, rule further suspended, read third time and passed by the following vote :

YEAS—Messrs. Allen, Armstrong, Bryan, Doane, Durst, Gage, Guinn, Hill, Holland, Jowers, Keenan, Kyle, Lott, Martin, McDade, Newman, Paschal, Pedigo, Potter, Scarborough, Scott, Superviele and Taylor—23.

NAYS—Messrs. Millican and Weatherford—2.

A bill supplementary to an act to secure the German emigration company and their colonists the lands to which they are entitled, and to adjust the liabilities of said company, approved January 21st, 1850 ; read, and ordered to be engrossed.

On motion of Mr. Kyle, rule suspended, read third time and passed.

On motion of Mr. Holland, the Senate adjourned until half past 7 o'clock, P. M.

HALF-PAST SEVEN O'CLOCK, P. M.

Senate met—roll called—quorum present.

Mr. Guinn, from the committee on Engrossed Bills, reported the following bills correctly engrossed :

A bill quieting land titles ; and

A bill to incorporate the Porter's Bluff Turnpike company.

Mr. Taylor called up a bill concerning offences against life or person ; read first time, and on motion of Mr. Taylor, the rule was suspended, read second time, and passed to a third reading.

On motion of Mr. Taylor, rule further suspended, bill read third time and passed.

Mr. Potter called up a bill to confirm the patent issued by the Commissioner of the General Land Office to Levi Jones and Edward Hall, on the 28th day of November, 1840 ; read and ordered to be engrossed.

On motion of Mr. Potter, rule suspended, read third time and passed by the following vote :

YEAS—Messrs. Bryan, Doane, Durst, Hill, Keenan, Kyle, McAnelly, McDade, Paschal, Pedigo, Potter, Scarborough, Superviele and Weatherford—14.

NAYS—Messrs. Allen, Armstrong, Gage, Guinn, Martin, Millican, Newman, Scott and Taylor—8.

Mr. Guinn, from the committee on Engrossed Bills, reported the following bills correctly engrossed :

A joint resolution to provide for the *per diem* pay of the officers of the two houses of the Legislature ; and

A bill supplementary to an act to secure to the German Emigration company and their colonists the lands to which they are entitled, and to adjust the liabilities of said company.

Mr. Kyle called up a bill authorising John Mooney to construct a Bridge ; read first time, and on motion of Mr. Kyle, rule suspended, read second time, and passed to a third reading.

On motion of Mr. Kyle, rule further suspended, bill read third time and passed by the following vote :

YEAS—Messrs. Allen, Armstrong, Bryan, Doane, Durst, Hill, Jowers, Keenan, Kyle, Martin, McAnelly, McDade, Millican, Paschal, Pedigo, Potter, Scarborough, Scott, Superviele, Taylor and Weatherford—22.

NAYS—None.

On motion of Mr. Armstrong, the regular order of business was suspended, and a bill to make a further appropriation for the erection of a fire-proof Treasury Department and Comptroller's Office of the State of Texas ; read second time and ordered to be engrossed.

On motion of Mr. Taylor, rule suspended, read third time and passed.

Mr. Pedigo called up a bill for the relief of the Alabama Indians; read third time and passed.

Mr. Durst called up a bill to confirm certain titles to land, and to prevent locations in the original colonies of McGloin & McMullen and of Power & Hewitson; read and ordered to be engrossed.

On motion of Mr. Durst, rule suspended, bill read third time and passed.

Mr. Paschal called up a bill for the relief of Haden H. Edwards; read, and on motion of Mr. Paschal, made the special order for to-morrow at 10 o'clock.

Mr. Guinn called up a bill authorising and requiring the county courts to regulate roads, appoint overseers, &c.; read first time, and on motion of Mr. Newman, made the special order for Monday next at 11 o'clock.

Mr. Jowers called up a bill to provide for the issuance of bounty and donation land warrants to persons entitled to the same; read first time, and on motion of Mr. Jowers, rule suspended, bill read second time, and passed to a third reading.

On motion of Mr. Jowers, rule suspended, bill read third time and passed.

Mr. Millican called up a bill for the relief of William Dunlap, with report of the committee on Private Land Claims offering an amendment thereto; read, amendment adopted, and bill ordered to be engrossed.

On motion of Mr. Millican, rule suspended, bill read third time and passed.

Mr. McAnelly moved to suspend the regular order of business and take up a bill to encourage the building of steamships, &c.; lost.

Mr. Allen called up a bill to incorporate the Texas iron, steel and copper manufacturing, mining and trading company, with a substitute therefor offered by the committee on Internal Improvements; read, substitute adopted, and bill ordered to be engrossed.

On motion of Mr. Allen, rule suspended, bill read third time and passed by the following vote:

YEAS—Messrs. Allen, Bryan, Doane, Durst, Guinn, Hill, Jowers, Kyle, Martin, McDade, Millican, Newman, Paschal, Pedigo, Potter, Scarborough, Scott, Superviele and Taylor—19.

NAYS—Messrs. Armstrong, McAnelly and Weatherford—3.

A message was received from the House, informing the Senate that the House had passed the following bills, originating in the Senate:

A bill supplementary to an act to encourage the construction of railroads in Texas by donations of land;

A bill to relinquish to the inhabitants of Ysleta, in El Paso county, a certain tract of land adjoining the town tract now held and owned by said inhabitants; and

A bill creating the county of Johnson.

Also, that the House concur in the amendment of the Senate to a bill incorporating the Columbia, Austin, Wharton and Colorado Valley Railroad company.

Mr. Guinn, from the committee on Engrossed Bills, reported as correctly engrossed:

A bill concerning surveys of land in Mercer's Colony; and

A bill for the relief of A. J. Walker.

Mr. Armstrong called up a bill to authorise claims of the Texas Association, commonly known as Mercer's Colony, to be judicially investigated and settled; which, on motion of Mr. Paschal, was made the special order for half past 3 o'clock to-morrow.

Mr. Potter, by leave, introduced a joint resolution, proposing an amendment of the Constitution; read first time.

On motion of Mr. Taylor, the Senate adjourned until 9 o'clock to-morrow morning.

SATURDAY, January 28, 1854.

The Senate met pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

Mr. Potter, chairman of the committee on the Judiciary, to whom was referred a joint resolution proposing an amendment to the Constitution, reported a substitute therefor and recommended its adoption.

Mr. Sublett, chairman on the part of the Senate of the joint committee on Enrolled Bills, reported the following bills correctly enrolled, and that they were this day submitted to the Governor for his approval: